

## SUBCOMMITTEE NO. 4

## Agenda

Michael J. Machado, Chair  
Dick Ackerman  
Christine Kehoe



### PART B Wednesday, April 9, 2008 OUTCOMES

(Consultant: Keely Martin Bosler)

<u>Item</u>	<u>Department</u>	<u>Page</u>
0855	Gambling Control Commission .....	2
1690	Alfred E. Alquist Seismic Safety Commission .....	3
8830	California Law Revision Commission .....	3
8840	California Commission on Uniform State Laws .....	3
8140	State Public Defender.....	3
0280	Commission on Judicial Performance.....	3
0390	Contributions to the Judges' Retirement System .....	4
0250	Judicial Branch.....	4
	Trial Courts .....	4
	Judicial Council/Administrative Office of the Courts.....	5
	Supreme Court.....	6
	Courts of Appeal .....	7
	Habeas Corpus Resource Center .....	8
	Administrative Office of the Courts: Office of Court Construction and Management.....	8

---

### State Administration—General Government—Judiciary—Transportation

Pursuant to the Americans with Disabilities Act, individuals who, because of a disability, need special assistance to attend or participate in a Senate Committee hearing, or in connection with other Senate services, may request assistance at the Senate Rules Committee, 1020 N Street, Suite 255 or by calling 916-324-9335. Requests should be made one week in advance whenever possible.

## 0855 Gambling Control Commission

### 1. Tribal Gaming Revenues

**Action.** All parties agreed to report revenues separately in the budget and DOF reported that actions were already in process to make this change. No action was taken since the change was already in process.

### 2. Revenue Sharing Trust Fund

**Action.**

- Adopted the LAO recommendation to use SDF revenues to cure the RSTF instead of the tribal gaming revenues that would flow directly to the state. **This will increase General Fund revenues relative to the Governor's budget by \$40 million.**
- Adopted LAO recommended budget bill language to authorize the Department of Finance to order a transfer from the SDF to the RSTF of up to \$50 million.
- Adopted LAO recommended budget bill language to specify that any portion of the \$50 million not needed to cure the RSTF shortfall remain in the SDF.
- Adopted LAO recommended budget bill language to ensure the General Fund transfer envisioned in the four tribes' compacts will not be triggered in the budget year.

**Vote. 3-0**

### 3. Local Mitigation – Informational Item

**Action.** No action was taken on this informational issue.

### 4. Inspection Program

**Action.** Rejected this proposal pending justification of the effectiveness of the commission's inspection program. This will reduce expenditures from the Special Distribution Fund by \$1 million.

**Vote. 2-1 (Dutton)**

### 5. Licensing Workload

**Action.** Rejected this proposal given the budget situation. This will reduce expenditures from the Special Distribution Fund by \$682,000 and the Gambling Control Fund by \$44,000.

**Vote. 3-0**

## 1690 Alfred E. Alquist Seismic Safety Commission

### 1. Update on Grant Program—Informational Item

**Action.** No action is required as this is an informational item.

## 8830 California Law Revision Commission

**Action.**

- Approved the CLRC's budget.
- Approved a \$74,000 reduction (equivalent to the Governor's budget balancing reduction) to CLRC's budget.

**Vote.** 3-0

## 8840 California Commission on Uniform State Laws

**Action.**

- Approved the CUSL budget.
- Approved a \$17,000 reduction (equivalent to the Governor's budget balancing reduction) to CUSL's budget.

**Vote.** 3-0

## 8140 State Public Defender

### 1. General Budget Support

**Action.**

- Approved the budget change proposal to fund the lease increases.
- Reduced the OSPD by \$591,000 in the budget, thereby restoring \$623,000. This will keep the OSPD at its 2007-08 budget level. This will allow OSPD to maintain some salary savings, backfill some vacancies, and contract for limited services. **This budget action results in adding \$623,000 General Fund relative to the Governor's budget.**

**Vote.** 2-1 (Ackerman)

## 0280 Commission on Judicial Performance

**Action.**

- Approved the budget for the Commission on Judicial Performance.

- Approved the budget balancing reduction for the Commission on Judicial Performance.

Vote. 3-0

## 0390 Contributions to the Judges' Retirement System

Action.

- Approved as budgeted the Contributions to Judges' Retirement System.

Vote. 3-0

## 0250 Judicial Branch

### Trial Courts

#### 1. Trial Court Funding – SAL Growth Factor

**Action.** Held this issue open. Staff notes that the Subcommittee rejected unallocated reductions in subsequent items (Supreme Court, Court of Appeals and Habeas Corpus Resource Center). These actions are not intended to reduce the overall 10 percent reduction target set by the Governor.

#### 2. New Trial Court Judgeships

**Action.** Approved a delay, by one additional month, the start date for the second 50 judgeships to July 1, 2009 for a savings of \$16.8 million in the budget year. **This budget action provides \$16.8 million General Fund towards the Governor's unallocated reduction.**

Vote. 2-0 (Ackerman absent)

#### 3. Omnibus Conservatorship and Guardianship Reform Act of 2006

Action.

- Rejected funding to support the implementation of this Act and suspended implementation for one more year. **This action provides \$17.4 million in General Fund towards the Governor's unallocated reduction.**
- Approved budget bill language (to be drafted) to make it clear that this Act was not funded in the budget and the courts are not required to implement in the budget year.

Vote. 2-0 (Ackerman absent)

#### 4. Trial Court Security

**Action.**

- Approved trailer bill language to limit the amount counties can charge the courts for trial court security to the mid-step salary of sheriff deputy. Three mid-step levels shall be defined in statute for large, medium, and small counties.

**Vote. 2-1 (Ackerman)**

#### 5. Court Reporting

**Action.** Held this issue open. Directed staff, LAO, DOF, and the Courts to explore options for savings related to converting civil court operations only to electronic reporting.

#### 6. Adjustments in Civil Filing Fees

**Action.**

- Approved 10 percent increase in civil filing fees, which would generate \$21 million in civil filing fees and a corresponding reduction of General Fund support in the budget year. **This action provides \$21 million in General Fund savings towards the Governor's unallocated reduction. It also increases fee revenues.**

**Vote. 2-0 (Ackerman absent)**

### Judicial Council/Administrative Office of the Courts

#### 1. Budget Balancing Reductions

**Action.** Held this issue open.

#### 2. Program Support – Judicial Branch

**Action.** Approved the Governor's budget proposal and the Finance Letter, which in combination makes no augmentation to the AOC's budget. **This action provides \$1.5 million in General Fund savings towards the Governor's unallocated reduction.**

**Vote. 2-0 (Ackerman absent)**

#### 3. Fiscal Support—Judicial Branch

**Action.** Approved the Governor's budget proposal and the Finance Letter, which in combination makes no augmentation to the AOC's budget. **This action provides \$1.3 million in General Fund savings towards the Governor's unallocated reduction.**

**Vote. 2-0 (Ackerman absent)**

#### 4. Federal/State Grants

**Action.**

- Approved the budget and Finance Letter changes to the federal and state grants.

**Vote. 2-0 (Ackerman absent)**

#### 5. Information Technology Services—Trial Courts

**Action.** Approved this budget proposal.

**Vote. 2-0 (Ackerman absent)**

#### 6. Information Technology Services—State Judiciary

**Action.** Approved this budget proposal.

**Vote. 2-0 (Ackerman absent)**

#### 7. Mental Health Services Act – Judicial Support

**Action.** Approved this special fund budget proposal.

**Vote. 2-0 (Ackerman absent)**

### Supreme Court

#### 1. Budget Balancing Reductions

**Action.** Rejected the proposed unallocated reduction to the Supreme Court budget. **The intent is that this action has no impact to the overall budget balancing reduction target set by the Governor.**

**Vote. 2-0 (Ackerman absent)**

## 2. Supreme Court Workload Adjustments

**Action.** Approved the Governor's budget proposal and the Finance Letter, which in combination makes no augmentation to the Supreme Court's budget. **This action provides \$1 million in General Fund savings towards the Governor's unallocated reduction.**

**Vote. 2-0 (Ackerman absent)**

## Courts of Appeal

### 1. Budget Balancing Reductions

**Action.** Rejected the proposed unallocated reduction to the Courts of Appeal budget. **The intent is that this action has no impact to the overall budget balancing reduction target set by the Governor.**

**Vote. 2-0 (Ackerman absent)**

### 2. Courts of Appeal Workload Adjustments

**Action.** Approved the Governor's budget proposal and the Finance Letter, which in combination makes no augmentation to the Courts of Appeal budget. **This action provides \$700,000 in General Fund savings towards the Governor's unallocated reduction.**

**Vote. 2-0 (Ackerman absent)**

### 3. Temporary Space - Third Appellate District

**Action.** Approved this budget proposal.

**Vote. 2-0 (Ackerman absent)**

### 4. Equipment for New Courthouse - Fourth Appellate District

**Action.** Approved this budget proposal.

**Vote. 2-0 (Ackerman absent)**

## Habeas Corpus Resource Center

### 1. Budget Balancing Reductions

**Action.** Rejected the proposed unallocated reduction to the HCRC. **The intent is that this action has no impact to the overall budget balancing reduction target set by the Governor.**

**Vote. 2-0 (Ackerman absent)**

### 2. Caseload Tracking

**Action.** Approved this budget proposal.

**Vote. 2-0 (Ackerman absent)**

## Administrative Office of the Courts: Office of Court Construction and Management

### 1. Court Infrastructure Bond—Informational Item

**Action.** No action needed, this is an informational item.

### 2. Appellate Courts Capital Outlay—Informational Item

**Action.** No action needed, this is an informational item.

### 3. Trial Courts Facility Transfers and Capital Outlay

**Action.**

- Rejected without prejudice the four bond-funded projects pending authorization of a court construction bond.
- Approved the 11 projects funded by the State Court Facilities Construction Fund, including the Finance Letter related to the Mono – New Mammoth Lakes Court project.
- Approved draft trailer bill language to ensure that courthouse facilities being replaced transfer to the state before funding for construction of new courthouses is released.

**Vote. 2-0 (Ackerman absent)**

### 4. Court Facility Operations and Maintenance

**Action.**

- Approved the Governor's budget and Finance Letter adjustments for additional CFPs.



- Approved the funding for new facilities transferred to the state.
- Approved the funding for court facility modifications.

**Vote. 2-0 (Ackerman absent)**